

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Roger Webb, on February 20, 2017 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Roger Webb, Chair (R)
Sen. Mike Lang, Vice Chair (R)
Sen. Edward Buttrey (R)
Sen. Steve Fitzpatrick (R)
Sen. Brian Hoven (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Jon C. Sesso (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Terry Gauthier (R)

Members Absent: None

Staff Present: Leanne Kurtz, Legislative Branch
Tia Stockton, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 248, 2/14/2017; SB 251, 2/14/2017; SB 269, 2/15/2017; SB 266, 2/15/2017

Executive Action: SB 224 - Do pass
SB 151 - Do pass as amended
SB 248 - Do pass as amended
SB 251 - Do pass

00:00:03 Chair Webb

HEARING ON SB 251

Opening Statement by Sponsor:

00:01:05 Sen. Tom Facey (D), SD 50, opened the hearing on SB 251, Generally revise laws related to short term rental facilities.

Proponents' Testimony:

00:02:35 Kelly Lynch, Montana League of Cities and Towns
00:07:37 John MacDonald, City of Missoula
00:08:34 Gwen Jones, City Council member, City of Missoula
00:14:23 Chris Kukulski, City of Bozeman
00:16:20 Stuart Doggett, Montana Lodging and Hospitality Association

Opponents' Testimony:

00:18:33 Marilee Brown, representing herself, City of Bozeman
00:23:28 Sen. Fitzpatrick entered the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

00:26:44 Sen. Hoven
00:27:12 Ms. Jones, Missoula
00:29:00 Sen. Hoven
00:29:15 Ms. Jones
00:29:54 Sen. Lang
00:30:20 Sen. Facey
00:31:17 Sen. Sesso
00:31:57 Sen. Facey
00:32:04 Sen. Sesso
00:32:59 Chair Webb
00:33:17 Ms. Jones
00:33:27 Chair Webb
00:33:30 Ms. Jones
00:33:52 Chair Webb
00:34:01 Ms. Jones
00:34:58 Sen. Hoven
00:35:32 Sen. Facey

Closing by Sponsor:

00:36:06 Sen. Facey
00:37:28 Chair Webb

HEARING ON SB 266

Opening Statement by Sponsor:

00:37:38 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 266, Revise subdivision approval time extensions.

Proponents' Testimony:

00:39:04 Jim Rokosch, Bitterrooters for Planning (BFP)
00:45:47 Jeff Barber, Montana Smart Growth Coalition (MSGC)
00:47:50 Anne Hedges, Montana Environmental Information Center (MEIC)

Opponents' Testimony:

00:50:18 Tara DePuy, Montana Association of Counties (MACo)
00:54:47 Steve White, commissioner, Gallatin County (GC)
00:58:43 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
01:00:54 Sharon Haugen, Montana Association of Planners (MAP)
01:03:00 Taylor Oldroyd, Montana Association of Realtors (MAR)
01:03:52 Kelly Lynch, Montana League of Cities and Towns (MLCT)

Informational Testimony: None

Questions from Committee Members and Responses:

01:05:25 Sen. Sesso
01:06:07 Sen. Cohenour
01:06:20 Sen. Hoven
01:06:49 Mr. White, GC

Closing by Sponsor:

01:08:43 Sen. Cohenour
01:10:21 Chair Webb

HEARING ON SB 269

Opening Statement by Sponsor:

01:10:52 Sen. Mary Caferro (D), SD 41, opened the hearing on SB 269, Require determination of sufficient information in subdivision application.

Proponents' Testimony:

01:12:08 Jim Rokosch, Bitterrooters for Planning (BFP)
01:19:11 Jeff Barber, Montana Smart Growth Coalition (MSGC)
01:20:47 Lee Tickell, representing himself
01:23:31 Anne Hedges, Montana Environmental Information Center (MEIC)

Opponents' Testimony:

01:25:20 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
01:27:09 Taylor Oldroyd, Montana Association of Realtors (MAR)
01:28:53 Sharon Haugen, Montana Association of Planners (MAP)

Informational Testimony:

01:31:15 Tim Davis, Department of Environmental Quality (DEQ)
01:31:29 Tara DePuy, Montana Association of Counties (MACo)

Questions from Committee Members and Responses:

01:31:50 Sen. Hoven
01:32:20 Ms. St. Lawrence, MBIA
01:32:35 Ms. DePuy, MACo
01:33:16 Sen. Hoven
01:33:27 Ms. DePuy
01:34:33 Sen. Hoven
01:34:54 Mr. Davis, DEQ
01:35:41 Sen. Hoven
01:35:48 Mr. Davis
01:36:15 Sen. Sesso
01:37:43 Ms. Haugen, MAP

Closing by Sponsor:

01:38:23 Sen. Caferro
01:38:31 Chair Webb
01:38:47 Recess
01:51:59 Reconvened

HEARING ON SB 248

Opening Statement by Sponsor:

01:52:11 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 248, Revise laws regarding exempt wells and family transfer parcels.

[**EXHIBIT\(los37a01\)**](#)

Proponents' Testimony:

01:55:45 Mark Taylor, representing himself
[**EXHIBIT\(los37a02\)**](#)

Opponents' Testimony:

02:02:43 Abigail St. Lawrence, Montana Building Industry Association, Montana Association of Realtors
 02:05:58 Krista Lee Evans, Senior Water Rights Coalition, Montana Stock Growers Association
 02:09:55 Tara DePuy, Montana Association of Counties (MACo)
 02:13:30 Mike Murphy, Montana Water Resources Association
 02:14:15 Jeff Barber, Montana Smart Growth Coalition, Clark Fork Coalition, Montana Association of Planners
 02:15:20 Chelcie Cargill, Montana Farm Bureau Federation
 02:16:29 Brian Ohs, Montana Trout Unlimited
 02:17:06 Ella Smith, Northern Plains Resource Council
 02:17:30 Nadine Nadow, Montana Environmental Information Center
 02:17:56 Amy Seaman, Montana Audubon
 02:18:37 Levi Ostberg, Montana Farmers Union
 02:19:10 Jim Rokosch, Bitterrooters for Planning

Informational Testimony:

02:22:44 Millie Heffner, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

02:23:09 Sen. Sesso
 02:23:51 Sen. Blasdel
 02:23:56 Sen. Sesso
 02:24:46 Ms. DePuy, MACo
 02:25:26 Sen. Sesso
 02:26:46 Ms. DePuy
 02:28:05 Chair Webb
 02:28:26 Mr. Taylor, self
 02:31:13 Sen. Fitzpatrick
 02:31:38 Ms. DePuy
 02:31:57 Sen. Fitzpatrick
 02:32:08 Ms. DePuy

 02:32:15 Sen. Lang and Sen. Buttrey left the meeting.

 02:33:06 Sen. Fitzpatrick
 02:33:23 Ms. DePuy
 02:33:41 Sen. Fitzpatrick
 02:34:01 Ms. DePuy
 02:34:16 Chair Webb
 02:34:30 Ms. DePuy
 02:34:37 Sen. Hoven
 02:35:08 Ms. DePuy

Closing by Sponsor:

02:35:29 Sen. Blasdel

02:36:02 Chair Webb

EXECUTIVE ACTION ON SB 224

02:38:26 **Motion/Vote:** Sen. Hoven moved that **SB 224 DO PASS**. Motion carried 6-0 by voice vote of those present and voting. Sen. Lang, Sen. Buttrey, and Sen. Gauthier were excused.

EXECUTIVE ACTION ON SB 151

02:40:25 **Motion:** Sen. Fitzpatrick moved that **SB 151 DO PASS**.

02:40:32 **Motion:** Sen. Fitzpatrick moved that **SB 151 BE AMENDED**.

Discussion:

02:40:43 Leanne Kurtz, Legislative Services Division (LSD)
EXHIBIT(los37a03)

02:41:40 Sen. MacDonald

02:41:52 Ms. Kurtz, LSD

02:41:55 Sen. Buttrey entered the meeting.

02:42:25 Sen. Sesso

02:43:15 Ms. Kurtz

02:43:20 Sen. Sesso

02:43:46 Chair Webb

02:43:50 Sen. Buttrey

02:45:13 Chair Webb

02:45:19 Sen. Buttrey

02:45:55 Sen. MacDonald

02:46:34 Sen. Buttrey

02:47:11 **Vote:** Motion carried 7-0 by voice vote. Sen. Lang and Sen. Gauthier were excused.

02:47:19 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 151 DO PASS AS AMENDED**. Motion carried 7-0 by voice vote. Sen. Lang and Sen. Gauthier were excused.

Discussion:

02:47:50 Chair Webb

02:48:00 Sen. Sesso

02:48:15 Chair Webb

02:48:34 Sen. MacDonald

02:48:39 Chair Webb
02:48:59 Sen. Sesso
02:49:01 Sen. Buttrey
02:49:06 Chair Webb

EXECUTIVE ACTION ON SB 248

02:49:15 **Motion:** Sen. Buttrey moved that **SB 248 DO PASS.**

02:49:35 **Motion:** Sen. Buttrey moved that **SB 248 BE AMENDED.**

Discussion:

02:49:58 Sen. Fitzpatrick

02:50:23 **Vote:** Motion carried 7-0 by voice vote. Sen. Lang and Sen. Gauthier were excused.

02:50:35 **Motion:** Sen. Buttrey moved that **SB 248 DO PASS AS AMENDED.**

02:50:43 **Motion:** Sen. Sesso moved that **SB 248 BE AMENDED CONCEPTUALLY.**

Discussion:

02:52:46 Sen. Buttrey
02:53:18 Sen. Sesso
02:55:28 Sen. Buttrey
02:55:43 Sen. Sesso

02:55:48 Sen. Lang entered the meeting.

02:56:34 Sen. Buttrey
02:56:58 Sen. MacDonald
02:58:28 Sen. Fitzpatrick
02:58:48 Sen. Hoven
02:59:38 Sen. Fitzpatrick
03:00:17 Chair Webb
03:00:56 Sen. Hoven
03:01:30 Chair Webb

03:01:45 **Vote:** Motion failed 3-5 by roll call vote with Sen. Buttrey, Sen. Fitzpatrick and Sen. Sesso voting aye. Sen. Gauthier was excused.

Discussion:

03:02:29 Sen. Sesso
03:03:30 Sen. Vuckovich
03:03:55 Sen. Sesso
03:04:44 Sen. Hoven
03:05:34 Sen. Sesso

03:08:17 **Motion/Vote:** Sen. Hoven moved that **SB 248 DO PASS AS AMENDED**. Motion carried 6-2 by voice vote with Sen. MacDonald and Sen. Vuckovich voting no. Sen. Gauthier was excused.

EXECUTIVE ACTION ON SB 251

03:08:45 **Motion:** Sen. Sesso moved that **SB 251 DO PASS**.

Discussion:

03:08:49 Sen. Sesso
03:10:44 Sen. Buttrey
03:11:22 Ms. Kurtz
03:11:37 Sen. Hoven
03:11:41 Sen. Buttrey
03:11:48 Ms. Kurtz
03:12:00 Sen. Buttrey
03:12:09 Sen. Lang
03:12:33 Sen. Buttrey
03:12:53 Chair Webb
03:13:10 Sen. Lang
03:13:15 Sen. Sesso
03:14:34 Chair Webb
03:14:44 Sen. Sesso
03:15:46 Sen. Buttrey

03:16:20 **Vote:** Motion carried 8-0 by voice vote. Sen. Gauthier was excused.

03:16:36 Chair Webb

ADJOURNMENT

Adjournment: 6:22 PM

Tia Stockton, Secretary

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Additional Documents

Additional Documents:

EXHIBIT([los37aad.pdf](#))